

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEVEN LIVINGSTON,

CASE NO. C25-0269 BHS

Plaintiff,

ORDER

SNOHOMISH COUNTY SHERIFF'S
OFFICE, et al.,

Defendant.

THIS MATTER is before the Court on Magistrate Judge Michelle L. Peterson's Report and Recommendation (R&R), Dkt. 8, recommending the Court dismiss pro se prisoner Steven Livingston's § 1983 case without prejudice for failure to prosecute. The R&R explains that despite repeated orders, Livingston has yet to file a proper application to proceed *in forma pauperis*, has not provided his prison trust account information, and has not kept the Court apprised of his address after he was released. Dkt. 8 at 1–3.

A district judge must determine de novo any part of a magistrate judge's recommended disposition *to which a party has properly objected*. It must modify or set aside any portion of the order that is clearly erroneous or contrary to law. Fed. R. Civ. P.

1 72(a). The district judge may accept, reject, or modify the recommended disposition;
2 receive further evidence; or return the matter to the magistrate judge with instructions.
3 Fed. R. Civ. P. 72(b)(3). A proper objection requires “specific written objections to the
4 proposed findings and recommendations” in the R&R. Fed. R. Civ. P. 72(b)(2).

5 Livingston’s objections to the R&R were due April 22. Dkt. 8 at 3. He has not
6 objected. The R&R is not clearly erroneous or contrary to law, and it is **ADOPTED**. The
7 case is **DISMISSED** without prejudice and without leave to amend.

8 **IT IS SO ORDERED.**

9 Dated this 28th day of April, 2025.

10
11 
12

13 BENJAMIN H. SETTLE
14 United States District Judge
15
16
17
18
19
20
21
22